

Remarks

This paper is being filed in response to the Office Action dated February 2, 2004. Claims 9-21 are currently pending. No claims have been amended in this response. Claims 1-8 were previously canceled without prejudice. Reexamination and reconsideration are respectfully requested.

Claims 9-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,245,659 to Ushiyama ("Ushiyama"), in view of Japanese Publication No. JP 11-074352 to Morozumi et al. ("Morozumi"). The rejection of claims 9-21 is respectfully traversed.

Applicant respectfully submits that Ushiyama should not be applied as prior art against the claimed invention under section 103. Ushiyama issued as a United States patent on June 12, 2001, which is after the March 27, 2001 filing date of the present application. Applicant included above in this response a Statement of Ownership that establishes that Ushiyama and the present application were commonly owned or subject to an obligation of assignment to the same organization at the time of the invention. As a result, pursuant to 35 U.S.C. 103(c), applicant respectfully submits that Ushiyama is not prior art against the claimed invention under section 103.

Accordingly, for at least reason stated above, applicant respectfully submits that the rejection of claims 9-21 should be withdrawn.

The Office Action also included various comments concerning the art and the non-patentability of features in various of the claims. Applicant does not agree with the rejection of the claims. The Examiner's comments that are not addressed above are deemed moot at this time in view of this response.

Applicant respectfully submits that the pending claims are in condition for allowance for at least the reason stated above. Reexamination and reconsideration are respectfully requested. If, for any reason, the application is not in condition for allowance, the Examiner requested to